



CITY OF ATLANTA


KASIM REED
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
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CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Director 

SUBJECT: Z-14-63 for 1209, 1215, 1221, 1227, 1230, 1235, 1236, 1242, 1249, 1250, 1256, 1257, 1264 and 1270 Spring Valley Lane, S.E.

DATE: November 6, 2014

An ordinance to rezone the subject properties within DeKalb County from the R-75 (DeKalb County Single Family Residential) District to the R-4 (City of Atlanta Single Family Residential) District.

FINDINGS OF FACT:

- property location: The subject properties are currently located in unincorporated DeKalb County, in Land Lot 55 of the 18th District. If the petition to annex the properties is approved by the City, they will become incorporated into the geographic municipal boundaries of the City of Atlanta.
- property size and physical features: The subject properties vary in frontage and acreage. All properties are developed with single family residential structures. There are several mature trees and shrubbery located throughout each property and the topography is relatively level.
- CDP land use map designation: The properties currently do not have a City of Atlanta land use designation. The DeKalb County Comprehensive Plan Land Use Map suggests the properties are suitable for residential uses.
- current/past use of property: The subject properties are currently developed with residential structures and uses. Staff is unaware of any other previous development on the properties.
- surrounding zoning/land uses: The subject properties are surrounded by unincorporated properties zoned R-75 (DeKalb County Single-Family Residential) and R-4 (Single-Family Residential) with single-family land uses. The subject properties are adjacent to properties within the City of Atlanta along its rear property line. The surrounding parcels within the City are zoned R-4 (Single Family Residential) and have a land use designation of Single Family Residential.

- transportation: Spring Valley Lane is a local street that terminates at a cul-de-sac. University Drive, which provides access to Spring Valley Lane, is designated as a Collector street and is serviced by MARTA.

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The proposed zoning classification will need to be compatible with the City of Atlanta's Comprehensive Development Plan upon the approval of the petition to annex. Concurrently with the annexation request is legislation to amend the City of Atlanta's Comprehensive Development Plan, upon approval of the petition to annex the property. Currently the subject property is designated as R-75 under the DeKalb County zoning district. Therefore, Staff is of the opinion that annexing the subject properties into the City of Atlanta will not compromise the intention of the R-4 (Single Family Residential) District or the City of Atlanta's Comprehensive Development Plan.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** It would appear that sewer is available in both DeKalb County and City of Atlanta to the subject properties given the location of existing developed parcels in the area. Additionally, the request for annexation will not have a negative effect on public facilities and services considering that services are currently already delivered to homes in the area.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** This request is based on a petition to annex these subject properties into the city limits. Staff is of the opinion that no other land needs to be evaluated for the subject rezoning.
- 4) **Effect on character of the neighborhood:** The annexation of the subject properties to the City of Atlanta R-4 zoning classification will not have a negative effect on the surrounding neighborhood or any adverse influences as there are single-family designation zoning surrounding the subject properties. Additionally, several homes along Spring Valley have been recently annexed into the City of Atlanta. Therefore, the inclusion of the subject properties would be compatible with the recent trend of annexing into the City of Atlanta.
- 5) **Suitability of proposed land use:** Staff is of the opinion that the proposed request to rezone the properties would be compatible with the surrounding zoning and land use.
- 6) **Effect on adjacent property:** Staff is of the opinion that the proposed request to rezone the properties would be compatible with the current built environment.
- 7) **Economic use of current zoning:** The properties have economic value as zoned as DeKalb County Single-Family Residential. The rezoning of these properties to a City of Atlanta Single-Family Residential designation is not anticipated to impact the economic use of the property.

Z-14-63 for 1209, 1215, 1221, 1227, 1230, 1235, 1236, 1242, 1249, 1250, 1256, 1257, 1264 and 1270 Spring Valley Lane, S.E.

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- 8) **Compatibility with policies related to tree preservation:** This proposed rezoning should not have any impact on the tree ordinance. Should the property owners redevelop the property, the property owners would be required to comply with the City of Atlanta Tree Ordinance.

STAFF RECOMMENDATION: APPROVAL of zoning to the R-4 district.



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CHARLETTA WILSON JACKS
Director, Bureau of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Director 

SUBJECT: Z-14-55 for 1518 Monroe Drive and 1529 Piedmont Avenue, NE

DATE: November 6, 2014

The applicant seeks to rezone the property from the **C-1 (Community Business)**, **I-2 (Heavy Industrial)** and **R-LC-C (Residential Limited Commercial)** districts to the **MRC-1 (Mixed Residential Commercial)** district to construct approximately 8,000 square feet of additional retail and restaurant space. **The Beltline Overlay zoning district** would remain in place and unchanged on the properties.

Staff recommends a deferral to allow the applicant to meet with the affected neighborhood and NPU.

STAFF RECOMMENDATION: 30 DAY DEFERRAL-DECEMBER 2014




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CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Director 

SUBJECT: **Z-14-56 for 874, 876 and 878 Joseph E. Lowery Boulevard
(aka Ashby Street), N.W.**

DATE: November 6, 2014

An Ordinance by Zoning Committee to rezone from the I-2 (Heavy Industrial) District to the LW (Live Work) District, property located at 874, 876 and 878 Joseph E. Lowery Boulevard (aka Ashby Street) N.W.

FINDINGS OF FACT:

- property location: The property is located in the Knight Park/Howell Station neighborhood of NPU-K in Council District 3, and Land Lot 113 of the 14th District.
- property size and physical features: The subject site is a rectangular-shaped lot that fronts 100 feet along Joseph Lowery Boulevard, and abuts a 30 feet wide abandoned railroad corridor at the rear of the property. The site is 21,165 square feet, and there is an existing 16,859 sq. ft. building that spans the entire width of the lot, and extends 172 feet to towards the rear of the lot. There are two pedestrian entry doors, and two garage doors on the front of the building, one set on each side. Vehicular ingress and egress is accessed using a shared driveway easement with the immediate north adjacent parcel (#900). There is a gravel parking lot area behind the subject lot, which also extends into the adjacent former railroad corridor section for which there is an easement for also. The topography of the site is level with the fronting street grade.
- CDP land use map designation: Mixed-Use.

- current/past use of property: The site is developed with an existing 1-story, 16,859 sq. ft. building, and paved parking lot. The building previously was associated with an industrial manufacturing use.
- surrounding zoning/land uses: The subject property is amid a large area of Heavy Industrial-zoned property, and uses.
- transportation system: Joseph Lowery Boulevard is a major corridor with an active Marta bus line. It terminates into Marietta Street, another major corridor, which is a little less than a mile north of the site.

PROPOSAL:

The applicant proposes to convert an existing vacant industrial building to an art gallery, studio work space, office space, and residential space for the occupant. No additional square footage is proposed for the site. The parking lot has 20 spaces directly behind the building, with access to the gallery space directly from there. On a typical day the 20 spaces are sufficient for the gallery. There will be one or two employees and generally 2-10 people in the gallery at any given time. The owners/operators of the facility will park in the internal garages and not in the exterior parking spaces. During art openings the applicant stated that there is an agreement with their the adjacent neighbor, S&J Automotive, to use their lot for valet parking. Their lot has room for 40-50 cars.

CONCLUSIONS:

- (1) Compatibility with comprehensive development plan (CDP); timing of development:
The current CDP land use designation of the site is Mixed-use, which is compatible with the proposed Live-Work zoning, and incompatible with the existing Heavy Industrial zoning. No new additions are proposed for the existing project; the shell of the existing building will be re-used.
- (2) Availability of and effect of public facilities and services; referral to other agencies:
The surrounding area has existing developments, and already has established public facilities and services, which will be available for the new use at the existing building. No other agencies have expressed comments about this issue.
- (3) Availability of other land suitable for proposed use; environmental effect on balance of land uses: The nature of the Live-Work zoning district promotes an on-premises residential component for the occupant, while providing space for their trade/business. The site is in the midst of a large Industrial-zoned district, and the owner's proposed uses are mostly compatible with this category, but none of these areas allow a residential component on site. There would not be a disruption in the balance of land uses as a result of this rezoning.

(4) Effect on character of the neighborhood:

The rezoning of this property to allow the proposed uses would likely positively affect the character of the neighborhood by helping to provide some diversity to the largely industrial area, and also begin the transition to the intended mixed-use developments that the CDP recommends. Although the office and studio uses are presently allowed in Heavy Industrial, the proposed art gallery and residential uses are not. There have already been adaptive re-uses of industrial buildings in the vicinity, such as the event facility of the Foundry at Puritan Mill. An art gallery is a use that can promote more cultural activities in the area, and the residential makes provides convenience for the artist that would allow them to work on-site. The property is also in the Beltline Overlay and this contributes to its accessibility of patrons, and this district also supports a diversity of uses.

(5) Suitability of proposed land use: The rezoning of the site for the gallery-studio, office-residential use is aligned with the transition of this area of the City to a mixed-used neighborhood with more diverse activities and uses. Most of the proposed uses are already allowed under the current industrial zoning with the exception of residential, but the residential is a very small component.

(6) Effect on adjacent property: As previously mentioned the rezoning for this Live-Work use should help the transition of the neighborhood, and redevelopment of adjacent properties towards other similar type of mixed-use facilities. The gallery events on the site could attract additional patrons and visitors to existing establishments along the corridor, and could also promote interest in further redevelopment of this corridor towards the vision that was outlined in the CDP.

(7) Economic use of current zoning: The current economic use for industrial does not appear to be as high as it once was at this site due to the fact that the area is transitioning to more of a mixed-use environment. The existing building has been vacant and underutilized for several years.

(8) Tree Preservation: The proposed project does not appear that it will have an impact on existing trees, but will ensure accordance with the City of Atlanta Tree Ordinance.

STAFF RECOMMENDATION: APPROVAL, conditioned on the following:

1. All residential area shall be contained within the existing building area.
2. No new residential structures shall be permitted.



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CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Director

SUBJECT: Z-14-58 for West Lake Ave, N.W.

DATE: November 6, 2014

Applicant is seeking to rezone the property from C-1-C to C-1-C for the purpose of a site plan amendment

FINDINGS OF FACT:

- property location: The subject property fronts 100 feet on the east side of West Lake Ave beginning 105.75 feet from the south east corner of Carlisle Street. The property is located in Land lot 146 of the 14th District, Fulton County, Georgia. It is located in the Grove Park neighborhood of NPU-J, Council District 3.
- property size and physical features: The subject property consists of 20,003 square feet of area and (0.459 acres) with 100 feet of frontage along the radius of West Lake Ave. It is currently developed with a one story brick building office space for the Veterans Empowerment Organization of Georgia. The topography on the property is relatively flat with large mature trees throughout the property.
- CDP land use map designation: Low-Density Commercial.
- current/past use of property: The property currently is office space for the Veterans Empowerment Organization of Georgia and is zoned C-1-C. Prior to this rezoning in 1989, the property was zoned I-O (Office –Institutional).
- surrounding zoning/land uses: The subject property is surrounded by properties zoned RG-4-C, RG-3, and MR-4A and there are Single Family Residential land use.

- transportation system: West Lake Avenue N.W. is a minor arterials street. Sidewalks are present along West Lake Avenue and in the area. MARTA bus routes are found along West Lake Avenue N.W.

PROPOSAL

The applicant requests the rezoning of the existing property at West Lake Ave. N.W., from C-1-C to C-1-C, in order to allow for a new rear addition to the existing office space.

CONCLUSIONS:

(1) Compatibility with comprehensive development plan (CDP); timing of development:

The comprehensive development plan designates the subject tract as Low-Density residential. No amendment to the 15 Year Land Use Map is required. There are no public projects or programs with which the timing of the project would conflict.

(2) Availability of and effect of public facilities and services; referral to other agencies:

It would appear there are adequate public facilities and services for the development of the property.

The capacity of the sewer system to accommodate the proposed development would be reviewed by the Department of Watershed Management after the developer would apply for a building permit. During this review, tie-in to specific sewer lines would be determined, as well as any necessary improvements to the sewer line that would lie within boundaries of the development site.

(3) Availability of other land suitable for proposed use; environmental effect on balance of land uses:

The zoning regulations indicate that this consideration is optional. The applicant has not presented any evidence that they own other land in the area that is suitable for this development. The proposed rezoning would not have an adverse effect on the environment or create an imbalance of land uses given that the property is already zoned C-1-C and the amendment of the zoning for the purposes of a new site plan for an addition to the rear should not cause negative impacts to the surrounding community.

(4) Effect on character of the neighborhood: Staff is of the opinion that this request to amend the conditions of the zoning will not negatively impact the surrounding community.

(5) Suitability of proposed land use: No change in the 15-year land use map is required.

(6) Effect on adjacent property: Staff is of the opinion that this request to amend the conditions of the zoning will not negatively impact the surrounding community.

(7) **Economic use of current zoning:** The subject property has economic value as currently zoned but would have more economic use if the existing building is enhanced.

(8) **Tree Preservation:** The City of Atlanta's Tree Ordinance will govern the development of the site in regards to tree preservation.

STAFF RECOMMENDATION: APPROVAL conditioned on the following:

1. Site Plan titled, "Proposed Site Plan", prepared by Mayweather Enterprise, dated 8-1-2014, and stamped received by the Office of Planning on September 9, 2014.
2. The following uses shall be prohibited:
 - Commercial greenhouses.
 - Commercial recreation establishments, including bowling alleys, theaters, convention halls, places of assembly, and similar uses, with primary activities conducted within fully enclosed buildings. Pool halls, billiard parlors, amusement arcades and game rooms are allowed only by special use permits.
 - Hospitals.
 - Laundry and dry cleaning, collection stations or plants; limited to no more than 5,000 square feet floor area; laundry and dry cleaning establishments where equipment is operated by customers.
 - Repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks and similar articles.
 - Sales and leasing agencies for new passenger automobiles, bicycles, mopeds, and commercial vehicles not exceeding one ton in rated capacity, selling, servicing and repairing new vehicles and dealing in the disposal, servicing or repairing of used vehicles in connection therewith and all located on the same site.
 - Vault-storage facility not exceeding 7,500 square feet of floor area and having all pickup and delivery of items by passenger automobile or van.
 - Service stations and car washes.
 - Structures and uses requiring for operation of MARTA or a public utility but not including uses involving storage, train yards, warehousing, switching or maintenance shop as the primary purpose.



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CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Director 

SUBJECT: Z-14-59 for 381 and 385 West Lake Avenue NW

DATE: November 6, 2014

Applicant is seeking to rezone two properties from the R-4A (Single Family) residential district to the RG-3 (Residential General) district for a multi-family development.

FINDINGS OF FACT:

- **Property location:** The subject properties are located on the east side of West Lake Avenue and approximately 378 feet on the south side of Carlisle Street in the Grove Park Neighborhood of NPU-J, Council District 3. They are located in land lot 146 of the 14th District, Fulton County, Georgia.
- **Property Size and Physical Features:** The subject area is comprised of two parcels totaling approximately 0.459 acres (20,003 square feet) and is relatively flat throughout the properties. Both lots have existing single-family homes and there is some vegetation, including small trees.
- **CDP Land Use Plan Designation:** The current land use designation is Medium Density Residential (MDR). A CDP land use designation is not required to change the zoning to allow for the proposed multi-family development.
- **Current/past use of properties:** The area has historically been primarily residential in character. The properties are owned by the Veterans Empowerment Organization of Georgia.

- **Surrounding Zoning and Land Uses:** Surrounding zoning includes MR-4A, RG-3, RG-4-C, R-4, and C-1-C. Surrounding land uses include Low Density Residential to the south, High Density Residential and Low Density Commercial to the east and south, and Single Family Residential to the west. Multi-family residential units are located west, south, and east of the subject properties.
- **Transportation System:** West Lake Avenue is classified as a minor arterial and is in close proximity to Donald Lee Hollowell Parkway, Joseph E. Boone Boulevard, and Martin Luther King, Jr. Drive. Interstate 20 is within a five-minute drive from the subject properties. Additionally, the area is serviced by several MARTA bus stops and the West Lake Station is 1.2 miles away.

PROPOSAL:

The applicant proposes to consolidate the two lots located at 381 and 385 West Lake Avenue and rezone them from R-4A to RG-3 to allow for a small multi-family development. The proposed development is a two-story, 12-unit, 8,000 square foot apartment building with an FFE of 910.

Staff review finds that there are several multi-family developments in the area. Should the rezoning be approved, the applicant would then file a lot consolidation application for the two properties. Approval of the rezoning does not indicate approval of the subdivision.

CONCLUSIONS:

- 1) **Compatibility with comprehensive development plan (CDP); timing of development:** The proposed rezoning does not require a CDP land use change and the RG-3 proposed zoning is compatible with the Medium Density Residential Land Use designation.
- 2) **Availability of and effect on public facilities and services; referrals to other agencies:** Public facilities and services exist; however, at time of permitting the development plans will be submitted to other agencies for permit review for compliance with applicable City codes.
- 3) **Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need:** There are other parcels available for redevelopment in the area, however to do so would juxtapose multi-family and residential uses. The proposed zoning change to RG-3 would not have an adverse impact on the balance of land uses as there are several multi-family developments in the vicinity.
- 4) **Effect on character of the neighborhood:** The rezoning to a multi-family development would not adversely affect the character of the neighborhood as there are other multi-family developments in the neighborhood.
- 5) **Suitability of proposed land use:** Since no change of land use is being proposed this consideration is not applicable.

- 6) **Effect on adjacent property:** The rezoning of the property would have a positive impact on adjacent properties by encouraging redevelopment of nearby dilapidated and vacant properties.
- 7) **Economic use of current zoning:** The current zoning of R4-A allows for the redevelopment of the property for single family uses, however RG-3 is more compatible with the Medium Density Residential land use. The proposed to development is a 12-unit, two-story building, which is an appropriate scale for the area.
- 8) **Compatibility with policies related to tree preservation:** Redevelopment of the property must comply with the City of Atlanta Tree Ordinance at time of permitting

STAFF RECOMMENDATION: APPROVAL



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CHARLETTA WILSON JACKS
Director, Bureau of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Director 

SUBJECT: U-14-26 for 320 Ashwood Avenue, S.W.
Parcel ID # 14-0090-LL021

DATE: November 6, 2014

The applicant seeks a **Special Use Permit** (Sections 16-11.005(1)(f)) to install a temporary 120 foot tall telecommunications broadcast tower and associated ground equipment on the subject property.

FINDINGS OF FACT

- **Property location:** The subject property is bounded by Ashwood Avenue (to the north), Pryor Road (to the east), Fair Drive (to the south) and Pickfair Way (to the west). It is located in the Lakewood Heights neighborhood of NPU-Y, Council District 12.
- **Property size and physical features:** The subject property is approximately 7.2177 acres (or 314,403 square feet) and is a vacant lot predominately wood with mature trees, four billboards, and a gravel lot in the southeast corner of the parcel. The proposed lease area for the tower is approximately 6,000 square feet. The topography appears to be relatively flat with the exception of a stream that runs through the center (north-south direction).
- **Current/past use of the property:** The subject property is currently undeveloped, although it appears that the gravel lot in the southeast corner of the property is most likely used for parking for off-site concerts and events occurring at the nearby Aaron's Lakewood Amphitheatre. Staff is not aware of any past uses of the property.
- **Transportation system:** Ashwood Avenue, Fair Drive and Pickfair Way are classified as local streets and Pryor Road is classified as a collector street. Access to the tower site lease area will be provided from Pickfair Way. The subject property is within a five minute drive to Langford Parkway and the I-75/85 access ramps. MARTA bus service runs by the property along Pryor Road and Ashwood Avenue.

PROPOSAL:

The applicant, on behalf of Verizon Wireless, seeks a Special Use Permit to install a temporary 120 foot tall monopole telecommunications broadcast tower atop a 45 foot long trailer, and also provide a portable generator and temporary pad 20 feet by 20 feet in size. A fence six (6) feet tall would be installed around the perimeter of the tower compound. The proposed temporary telecommunications facility is to provide coverage during concerts and special events taking place at Aaron's Lakewood Amphitheatre. Verizon Wireless is entering into an six (6) month lease agreement with the property owner which may be renewed automatically on a monthly basis, thereafter.

- **Ingress and egress:** Ingress and egress to the property will be provided via a 12 foot wide gravel driveway within a 30 feet wide easement extending from Pickfair Way to the tower lease area.
- **Parking and loading:** The property will be unmanned and technician staff will visit the subject property as needed to conduct standard maintenance service to the facility. The gravel driveway will be sufficient to provide on-site parking and loading.
- **Refuse and service areas:** Since the facility is unmanned, the telecommunications tower and associated equipment will not be creating the need for disposal services.
- **Buffering and screening:** The lease area of the temporary telecommunications facility will be located within an open area within the wooded lot, on the southern end of the property. Existing mature trees would surround the tower lease area and no trees are proposed to be removed. The facility will be enclosed with a 6 foot tall chain link fence to secure the area. No additional screening or landscaping is proposed.
- **Hours and manner of operation:** The proposed facility will operate unmanned 24-hours, seven days a week.
- **Duration:** The applicant requests an indefinite duration.
- **Required yards and open space:** The applicant has indicated that the required yards and open space are in compliance.
- **Tree Preservation and replacement:** The temporary facility is mobile and the applicant does not intend to remove any trees. The applicant will comply with all tree removal and replacement requirements, should they arise, in accordance with the Tree Preservation Ordinance of the City of Atlanta.

CONCLUSIONS:

1. **Ingress and egress and proposed structure or uses thereon, with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and emergency access:** Ingress and egress to the property will be provided via a 12 foot wide gravel driveway extending from Pickfair Way. According to the applicant, the facility will be unmanned and employees will visit the site as needed only for maintenance purposes. Thus the amount of traffic generated from the operations of the telecommunications equipment will have a negligible impact on the surrounding neighborhood to access to the site. Access proposed appears to be sufficient; however, Staff recommends that the driveway access along Pickfair Way be installed further away from the intersection with Fair Drive.

2. **Off-street parking and loading:** The actual maintenance operations will entail limited site visits. The driveway appeals to provide sufficient area for parking and loading on-site. Staff, however, recommends installation of a security gate at the driveway entrance to prevent public parking on the grass during Lakewood Amphitheatre concerts and other events.
3. **Refuse and service areas:** The telecommunications tower and associated equipment will not be creating the need for disposal services.
4. **Buffering and screening:** Based on field observations from staff there appears to be adequate screening with the existing mature trees. Staff however, recommends planting of evergreen trees surrounding the southern and eastern portions of the lease area for additional screening.
5. **Hours and manner of operation:** The facility will operate 24-hours, seven days a week. However, other than the monthly visits, it will be operating the majority of time without personnel and should therefore have a minimal impact on the surrounding residential neighborhood.
6. **Duration:** Staff is supportive of an indefinite duration.
7. **Compatibility with policies related to tree preservation:** The applicant has indicated that they would not be removing any trees, but will comply with the City of Atlanta's Tree Ordinance requirements should the need for tree removal and replacement occur.
8. **Required yards and open space:** As proposed, the required yards and open space appear to be met.
9. **Other Considerations:**
 - a) **Engineer Certification for Height of Tower (Section 16-25.002(3)(iv)(f)):**
The Office of Planning has received a letter dated stamped received on September 9, 2014 from Verizon Wireless documenting the minimum tower height requirements necessary to meet their coverage needs. The letter is from James Hurst, a radio frequency engineer at Verizon Wireless.
 - b) **Tower Inventory (Section 16-25.002(3)(iv)(b)):**
The Office of Planning has received inventory lists from the applicant showing the location of towers or structures owned by or leased by Verizon Wireless, Inc. The inventory shows that there are no other towers or structures owned by the applicant or the proposed carrier that would serve to meet the coverage needs for the target area. Furthermore, staff has reviewed on-line aerial photographs of the area and there appear to be no towers or structures of sufficient height to meet the applicant's coverage needs within a half a mile of the subject property.
 - c) **Coverage Maps (Section 16-25.002(3)(iv)(c)):**
The Office of Planning has received coverage maps from the applicant illustrating the existing coverage gap without the proposed tower and the proposed coverage resulting from the installation of the new tower which would satisfy the coverage needs of the carrier Verizon Wireless.

STAFF RECOMMENDATION: APPROVAL with the following conditions:

- 1) Site Plan: Conditioned to the conceptual Overall Site Plan (sheet C-2) prepared August 12, 2014 by Tower Source, Inc. and stamped received by the Office of Planning on September 9, 2014. The location of the driveway access from Pickfair Way may be moved northward to comply with Department of Public Works requirements.
- 2) Tower Height: The height of the telecommunications monopole shall be limited to 120 feet.
- 3) Evergreen trees for screening: Applicant shall plant evergreen trees around the fenced lease area to screen the facility. Said landscape screening shall be approved by the City arborist prior to issuance of a building permit.
- 4) Driveway entrance gate: Applicant shall install a gate at the driveway to secure the property from to restrict access to prevent public parking on the grass during Lakewood Amphitheatre concerts and other events.




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CHARLETTA WILSON JACKS
DIRECTOR
Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Director 

SUBJECT: Z-13-36 for 961 - 973 DeSoto Street, NW

DATE: November 6, 2014

An Ordinance to rezone from the SPI-11 SA6/BL (Special Public Interest District: Vine City and Ashby Station Subarea 6/Beltline Overlay) District to SPI-11 SA8/BL (Special Public Interest District: Vine City and Ashby Station Subarea 8/Beltline Overlay) District for property located at 961-973 Desoto Street, N.W

Staff is requesting that the applicant review the amended site plan with the NPU.

STAFF RECOMMENDATION: 60 DAY DEFERRAL-JANUARY 2015



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TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Director

SUBJECT: Z-14-39 for 410-418 Grant Park Place, 785-805 Cherokee Avenue, 421-423 Augusta Avenue, and 765-775 Harrison Place, S.E.

DATE: November 6, 2014 (*deferred September 8, 2014*)

The applicant requests a change in conditions for property zoned to the **PD-MU (Planned Development-Mixed Use) District** in April 2008.

The applicant has requested an additional deferral to discuss certain conditions with the impacted neighborhood and believes a 90 day deferral should be sufficient to complete the review with neighbors and the NPU. Staff is supportive of the request.

STAFF RECOMMENDATION: 90 DAY DEFERRAL-FEBRUARY 2015



CITY OF ATLANTA


M. Kasim Reed
MAYOR

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CHARLETTA WILSON JACKS
Director, Bureau of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Director 

SUBJECT: U-14-15 for 1165 Arlington Avenue, S.W.

DATE: November 6, 2014 (*deferred from August 14th, September 8th, and October 27th*)

Applicant is seeking to a special use permit (SUP) for a rehabilitation center for children ages 12 – 18 years of age. The subject property is located in the Oakland City Historic District. Staff recommends a 60-day deferral to allow applicant to present for *Review and Comment* to the Atlanta Urban Design Commission at their public hearing.

STAFF RECOMMENDATION: 30 DAY DEFERRAL- DECEMBER 2014



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KASIM REED
MAYOR

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Director 

SUBJECT: Z-14-23 for 1760 Memorial Drive, S.E.

DATE: November 6, 2014 (*deferred September 8, 2014*)

A Substitute Ordinance by Zoning Committee to rezone from the R-4A (Single Family Residential) District to the MRC-2 (Mixed Residential Commercial) District.

FINDINGS OF FACT:

- property location: The subject property fronts approximately 201 feet on the north side of Memorial Drive, fronting approximately 164 feet on the south side of Memorial Drive and located approximately 165 feet east of the intersection of Memorial Drive and Clay Street. The property is located in Land Lot 206 of the 15th District, DeKalb County, Georgia in NPU-O Council District 5.
- property size and physical features: The subject property consists of 0.829 acres and is currently developed with 3 two story multi-family units. Access to the property is via provided via two ingress driveways. The side yards are surrounded by a wooden fence that is approximately 6 feet in height. Topography is relatively flat however, the west side of the property begins to slope and is adjacent to an active creek. There are several trees that surround the perimeter of the property.
- CDP land use map designation: Medium Density Residential.
- Current/past use of property: The site is currently developed as a multifamily development. Staff is unaware of any previous uses.
- Surrounding zoning/land uses: The subject property is surrounded by properties with a variety of zoning categories to include: C-1 (Community Business) to the west, RG-3-C (Residential General Sector 3- Conditional) to the east and north and R-4 (Single Family Residential) to the south.
- Transportation system: Memorial Drive is an arterial road that is serviced by MARTA.

PROPOSAL:

Staff Note: The original proposal was to rezone from R-4A to RG-3. However, on July 11th the applicant amended the application to rezone to MRC-2.

The applicant's intent is to rezone the subject property in order to bring the existing multi-family development into conforming status by rezoning to a district that is compatible. Furthermore, the applicant is also proposing to renovate the three existing two story multi-family units.

Required variances/special exceptions: The proposed project must comply with the zoning requirements for the MRC (Mixed Residential and Commercial) district.

CONCLUSIONS:

(1) **Compatibility with comprehensive development plan (CDP); timing of development:**

The proposed rezoning for 1760 Memorial Drive is not compatible with the 2011 Comprehensive Development Plan and will require an application to amend the land use designation to Medium Density Residential. While the parcels immediately adjacent to the subject properties are also designated as Medium Density Residential, the neighborhood is shifting towards development that is focused on mixed residential and commercial. Additionally, the parcel is currently adjacent to commercial and multifamily uses. Therefore, Staff is of the opinion that a change in the land use to Low Density Commercial will not compromise the intent of the Comprehensive Development Plan.

(2) **Availability of and effect of public facilities and services; referral to other agencies:**

Since the area has been an established mixed use (residential and commercial) corridor, water and sewage facilities serving the property are assumed to be adequate. However, the capacity of the sewer system to accommodate the proposed development would be reviewed by the Department of Watershed Management after the developer would apply for a building permit. At the time, tie-in to specific sewer lines would be determined, as well as any necessary improvements to that part of the sewer line that would lie within boundaries of the development site.

(3) **Availability of other land suitable for proposed use; environmental effect on balance of land uses:**

The subject parcel is currently developed with several multifamily units. The applicant has proposed to renovate the existing development that is currently compatible with the surrounding area. Therefore, Staff is of the opinion that no other land needs to be evaluated for the subject rezoning.

(4) **Effect on character of the neighborhood:**

The immediate area is flanked by multifamily developments, single family residences and commercial establishments. The subject section of the Memorial Drive corridor has numerous medium density and low density residential developments in the area. The proposed renovation of the existing development would promote the intentions of the Comprehensive Development Plan and support the redevelopment of other residential and mixed-use projects that are currently under way on nearby sites. Therefore, the proposed renovation of the multifamily development would not change the character of the neighborhood.

- (5) **Suitability of proposed land use:** Staff is of the opinion that the proposed request to rezone to MRC-2 would be compatible with the surrounding zoning and land uses. As aforementioned the property is immediately adjacent to multi-family and commercial developments. Therefore, the proposed request to rezone the property for the purpose of constructing a mixed use development would be compatible with surrounding zoning and land uses.
- (6) **Effect on adjacent property:** No negative effects are expected on adjacent properties with a change in zoning to MRC-2. Currently the subject site is adjacent to multifamily developments, commercial developments and single family residences. The proposed renovation and eventual redevelopment of the parcel would only compliment an area where development is prevalent and needed.
- (7) **Economic use of current zoning:** The current zoning of R4-A does not allow for economic use of the land as the subject property is developed with multi-family units. A change to the MRC-2 district would allow a more effective economic use of the subject property for the purpose of redeveloping into a mixed use development.
- (8) **Tree Preservation:** It is noted that additional trees or recompense may be necessary to comply with the City of Atlanta Tree Ordinance. However, the applicant has confirmed that all policies related to tree preservation will be met.

STAFF RECOMMENDATION: APPROVAL of a substitute ordinance rezoning the subject property from R4-A (Single Family Residential) to MRC-2(Mixed Residential Commercial-Sector 2) conditioned upon:

1. A conceptual site plan and elevation plan similar to plan titled "Rosedale Apartments" marked received by the Office of Planning on October 17, 2014. Said plan(s) shall not prohibit the application of the MRC Regulations and should not prohibit the applicant from renovating the existing dwellings until such time as redevelopment of the site in accordance with the conceptual site plan(s) take place.



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KASIM REED
MAYOR

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director
Office of Planning

MEMORANDUM

TO: Zoning Review Board
FROM: Charletta Wilson Jacks, Director 
SUBJECT: Z-14-47 for 2573 (aka 2531) Lenox Road, N.E.

DATE: November 6, 2014

An Ordinance to rezone from the O-1 (Office Institutional) to the C-1 (Light Commercial) District for property located at 2573 (aka 2531) Lenox Road, N.E.

The applicant has requested additional time to have discussions with the neighborhood and acquire additional materials.

STAFF RECOMMENDATION: 30 DAY DEFERRAL- DECEMBER 2014